

ENVIRONMENTAL ASSESSMENT, FONSI AND DECISION RECORD

**BLM, Bishop Field Office
351 Pacu Lane, Suite 100
Bishop, CA 93514**

EA Number: CA-170-05-13

Lease/Serial/Case File No.: CACA 46466

Proposed Action Title/Type: Dostie Private Cell Repeater Site

Location of Proposed Action: MDM, T. 2 S., R. 32 E., Section 29,
NW1/4NW1/4SW1/4SE1/4.

Applicant (if any): Paul Dostie

Plan Conformance: The proposed action is subject to the Bishop Resource Management Plan, approved March 25 1993. The proposed action has been reviewed and is in conformance with the plan except for a seasonal restriction for the Casa Diablo mule deer winter range.

Need for Proposed Action: The proponent is the owner of the Rabbit ranch which is not served by power or telephone utilities. Cell phone is his only means of communication. Due to poor cell phone coverage in the area, Mr. Dostie needs to install a cell repeater on Blind Springs Hill to boost his cell phone reception/transmission from his ranch. The proponent has a FCC license for the repeater.

Description of Proposed Action: The proposed action is the issuance of a 30 year (renewable) right-of-way (ROW) for a private cell repeater site generally located in the middle of Blind Springs Hill south of Benton, California. Standard ROW stipulations would be applied to the ROW grant. At the site, a 6 foot 1.5 inch diameter pipe with a 48 inch long 1 inch diameter antennae would be anchored in the ground with a small amount of concrete and retained with four guy wires secured with bolts into the surrounding rocks. A 26 inch by 62 inch solar panel would be mounted horizontally on a 1.5 inch angle iron "A" frame with legs bolted into the rocks. Two steel boxes would be mounted on a 30 inch by 90 inch concrete pad. The boxes would be locked and bolted to the pad. The larger box would contain 6-2 volt batteries each weighing 60 lbs. The smaller box would contain the repeater and the solar controller. The construction would not require removal of rocks or soil. The project would take about 60 days to complete and would take place anytime after January, 2005. Actual construction time would be about 4 days. All travel would be on existing routes. Equipment and tools would be carried to the site by hand. All equipment, capable of being painted, would be painted a

dull grey to match the surrounding rocks. Periodic maintenance would be required for battery service and or equipment failure. Maintenance amounts to 2-4 trips per year.

Environmental Impacts:

The proposed action is not within a Wilderness, Wilderness Study Area, Area of Critical Environmental Concern, nor Wild and Scenic River corridor, and there will be no effects on any lands so designated.

Air quality will not be affected. The proposed action is within the Mono Basin / Owens Valley federal nonattainment area. Although the access is on dirt roads, these roads during the winter time tend to have moisture and would not contribute to airborne dust. The action will not result in the emission of PM₁₀.

There will be no impact to listed or sensitive species. There are no known listed species/habitats within the proposed action area. There are six species of bats, some are sensitive species, potentially using the proposed action area. The bats are utilizing the various adits and mine shafts throughout the Blind Springs Hill area. Installation of the repeater site would be done during the day when the bats are roosting and would not be active in the area. No impact to bat species population or habitat.

There will be no impacts to prime farm lands, flood plains, nor water quality (including ground or surface waters).

Cultural resources

A cultural inventory was conducted for the proposed action. No cultural resources were found within the area. No impact to cultural resources.

Visual resources

The Blind Springs Hill area has a VRM Class IV rating which states that contrasts may attract attention and be a dominant feature of the landscape in terms of scale but the change should repeat the basic elements inherent in the characteristic landscape.

The critical viewpoint is along Hwy 6 which is located 1 mile to the east and about 1300 feet below the point on which the site is located. The site is also located about 4 feet below the actual peak of the site. The site has very large grey boulders within which the equipment would be located. The pole antenna has a small diameter and the solar panel is oriented horizontally, neither of which would be easily seen from the highway. Effectively the equipment would be surrounded with boulders. The high elevation difference between the site and the highway and the distance from Hwy 6 would cause the site to be unnoticeable from the highway. The site would meet VRM Class IV standards.

Vegetation

The site has sagebrush and various needle grasses. No impact

Invasive, non-native species

There would be no soil disturbance or vehicle travel near the site location. No impact.

Wildlife habitat

The proposed project is located within critical winter and migratory habitat for the Casa Diablo mule deer herd. Population numbers in this herd have declined substantially over the past 15 to 20 years and several traditional wintering areas currently support low deer numbers. However, Blind Springs Hill is one of the few areas within this herd's winter range where larger concentrations of deer are still encountered during annual winter and early spring helicopter surveys conducted by the California Department of Fish and Game (Tim Taylor, CDFG, personal communication). In addition, four wildlife drinkers have been installed on Blind Springs Hill to improve water distribution for wintering and migrating mule deer in the general vicinity over the past 15 years. One of these drinkers is located about 1,000 feet south of the proposed project site.

Project installation and maintenance during the wintering and spring migratory use periods would result in the temporary displacement and disturbance of mule deer from the project site and the surrounding vicinity. The potential for such disturbance and displacement impacts is high due to the proposed projects proximity to heavily used winter and early spring habitat and key water sources. The RMP requires "Seasonal Protection of the Casa Diablo mule deer winter range from 11/1 to 4/30" (Bishop RMP Record of Decision, pg 40) and would mitigate this impact. No measurable direct loss of mule deer habitat would result from project construction.

The area also provides habitat for a variety of resident small mammals and birds. Impacts to resident small mammals and birds are expected to be similar to those described for mule deer, resulting in the temporary displacement and disturbance of individuals during project installation and maintenance. Some small direct loss of habitat will occur due to project construction. These impacts cannot be mitigated.

The immediate project vicinity consists of rocky, low sage/perennial grass habitat which is characteristic of sage grouse roosting habitat in the region. The immediate project area was surveyed for signs of sage grouse roosting or other use during the fall of 2004. No sage grouse sign was encountered. However, provisions allowing for the installation of anti-perch devices on the antennae should be incorporated into the ROW grant if future field surveys document sage grouse use of Blind Spring Hill.

Minerals

No impact to minerals. There are no known mining claims impacted by the site.

Economic Impacts

Viability of the Proposed Development

The proposed action is viable and provides a positive economic to the proponent by improving his communication from the ranch. Safety is also enhanced by the improved communication.

Impacts to the Community and to the Tribe

None.

Benefits of Being a Non-Gaming Tribe

Not Applicable

Environmental Justice

There will be no disproportionate impacts to low income or minority groups, per Executive Order 12898 (2/11/94).

Hazardous Materials

No impact. The batteries are within a confined steel box and secured.

Cumulative effects

This project is not expected to contribute to cumulative effects, because, the proposed action does not produce impacts large enough to be measured.

Description of Mitigation Measures and Residual Impacts:

The RMP requires that the Casa Diablo mule deer winter range have a seasonal closure from 11/1 to 4/30. The temporary displacement of mule deer could be mitigated by having the proponent delay construction until after April 30. There may be very slight residual impacts to mule deer winter range if periodic maintenance takes place during the seasonal closure period.

Implementation Monitoring:

Not warranted for the proposed action due to the minimal amount of construction time and lack of surface disturbance.

Effectiveness Monitoring:

Not warranted for the proposed action. See above.

Persons/Agencies Consulted:

Paul Dostie

Proponent

Preparer(s):

Larry Primosch

BLM, Realty Specialist

Steve Nelson

BLM, Wildlife Biologist

Erica McCormick

BLM, Archeologist

Terry Russi

BLM, Supervisory Wildlife Biologist

Cheryl Seath

BLM, Geologist

Date: January 4, 2005

Reviewed By: _____ **Date:** _____
Environmental Coordinator

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action with mitigation measures will not have any significant impacts on the human environment and that an EIS is not required.

There will be no effect on threatened or endangered species as a result of the action.

I have determined that the proposed project with mitigation is in conformance with the Bishop Resource Management Plan, which was approved March 25, 1993. This plan has been reviewed, and the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5 with the below mitigation.

It is my decision to implement the project with a mitigation measure for mule deer habitat and issue a 30 year (renewable) ROW with standard ROW stipulations to Paul Dostie for a private cell repeater site. The project has very little impact to the associated resources. The RMP requires a seasonal closure of the Casa Diablo mule deer winter range during November 1 to April 30. Since the project is to be installed during a period of at least 4 consecutive days, I am requiring that the construction activity take place after April 30. I consider the temporary displacement of mule deer during installation to be a slight impact but one that warrants a change in the construction proceed date. Periodic Maintenance for the repeater would be a one day event and does not warrant a seasonal closure. There would be no cumulative impacts with the mitigation for the mule deer displacement. The potential temporary displacement of small mammals can not be mitigated, and there would be no cumulative impact.

It is in the public interest to allow Mr. Dostie to install the cell repeater so that he can have effective cellular communication at his ranch. This would also add a measure of safety should he or anyone else become injured while working or spending time at the ranch.

Mitigation Measures/Remarks: Construction activities must take place after April 30.

Authorized Official: _____
Field Manager, Bishop Field Office

Date: _____